

**IDAHO BOARD OF EXAMINERS OF RESIDENTIAL CARE FACILITY
ADMINISTRATORS**

Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 7/16/2015

BOARD MEMBERS PRESENT: Heidi Brough Nye - Chair
Kristen E Hyde
Linda L. Simon

BOARD MEMBERS ABSENT: Ann L Moss
Benjamin E Doty

BUREAU STAFF: Tana Cory, Bureau Chief
Lori Peel, Investigative Unit Manager
Maurie Ellsworth, General Counsel
Jean Uranga, Board Prosecutor
Eric Nelson, Board Prosecutor

OTHERS PRESENT: Tony Smith, Idaho Health Care Association

The meeting was called to order at 10:00 AM MDT by Heidi Brough Nye.

APPROVAL OF MINUTES

Ms. Simon made a motion to approve the minutes of April 23, 2015. It was seconded by Ms. Hyde. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that any law changes are due by August 1 and rule changes are due by the third week of August.

FINANCIAL REPORT

Ms. Cory gave the financial report, which indicated that the Board had a negative balance of (\$100,252.68) as of June 30, 2015.

2016 BUREAU/BOARD RENEWAL CONTRACT

Ms. Hyde moved to approve the 2016 Renewal Contract and authorize the Chair to sign. Ms. Simon seconded the motion. Motion carried.

DISCIPLINE

Ms. Uranga presented a memorandum regarding case number RCA-2015-13. After discussion, the Board gave recommendations for appropriate discipline.

Mr. Nelson presented a memorandum regarding case numbers RCA-2015-12 and RCA-2015-9. Ms. Hyde moved to close case RCA-2015-9 and send a warning letter. It was seconded by Ms. Simon. Motion carried. After discussion, the Board gave recommendations for appropriate discipline on case RCA-2015-12.

Mr. Nelson presented a Stipulation and Consent Order in case RCA-2015-8. Ms. Simon made a motion to approve the Consent Order and allow the Board Chair to sign on behalf of the Board. It was seconded by Ms. Hyde. Motion carried.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

FOR BOARD DETERMINATION

Ms. Simon made a motion to approve the Bureau's recommendation and authorize closure in cases I-RCA-2014-33, I-RCA-2015-4 and I-RCA-2015-5. It was seconded by Ms. Hyde. Motion carried.

DISCIPLINE

The Board reviewed correspondence from the respondent's attorney in case RCA-2015-3. The Board directed Ms. Peel to respond.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

STATUTE/RULE CHANGE 67-2614

Mr. Ellsworth presented a draft Statute change in accordance with recent changes to Idaho Code 67-2614. The statute change will change the reinstatement fee of a license to a total of \$35.00. Ms. Hyde moved to approve the proposed legislative amendment and submit it to the Governor's Office. Ms. Simon seconded the motion. Motion carried.

Mr. Ellsworth presented draft Rule changes for 401.01, 500.01, 02 and 600.04 regarding reinstatement requirements and fee. Ms. Simon moved to approve the draft rule changes and submit them to the Governor's Office. Ms. Hyde seconded the motion. Motion carried.

2015 LEGISLATIVE ITEMS

Ms. Brough Nye reported that she had discussed with the Idaho Board of Examiners of Nursing Home Administrator Board Chair his opinion regarding the possibility of combining the Idaho Board of Examiners of Residential Care Facility Administrator Board and the Idaho Board of Examiners Nursing Home Administrator Board to make one Board. The Chairs determined that this was not something that would work since NHA's deal with many more Federal regulations than RCA's.

Ms. Brough Nye reported that she had not heard any follow-up from the Idaho Health Care Association Board Member, Bridger Fly, regarding improving communication and in response to the Board's invitation to the Association to come in and review the investigative process.

EXECUTIVE SESSION

Ms. Hyde made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Simon. The vote was: Ms. Hyde, aye; Ms. Simon, aye; and Ms. Brough Nye, aye. Motion carried.

Ms. Hyde made a motion to come out of executive session. It was seconded by Ms. Simon. The vote was: Ms. Hyde, aye; Ms. Simon, aye; and Ms. Brough Nye, aye. Motion carried.

NEXT MEETING was scheduled for October 29, 2015 for 9:00 AM MDT.

NEW BUSINESS

CORRESPONDENCE

The Board reviewed correspondence from Jamie Simpson, Health and Welfare Licensing and Certification, regarding webinars the Board of Nursing has developed in partnership with the Professional Board of Technical Education. The Board approved the wording that will be added to the certificates stating, "This course is endorsed by the Division of Licensing and Certification Residential Care Assisted Living Program for training of Residential Care Administrators (RCA)."

COMPUTER BASED TESTING AGREEMENT

It was moved by Ms. Hyde to approved the National Association of Administrator Boards Computer Testing Agreement Contract for one year and allow the Chair to sign. Ms. Simon seconded the motion. Motion carried.

NAB MEETING REPORT

Ms. Brough Nye attended the June 2015 NAB meeting in Philadelphia, Pennsylvania. She serves on one of the committees and her travel expenses were paid by NAB. NAB is in the process of developing an administrator training program. The next conference is November 11 through 13, 2015 in Naples, Florida.

Ms. Simon moved to approve Ms. Brough Nye to attend the NAB Conference in November. It was seconded by Ms. Hyde. Motion carried.

OPEN BOOK EXAM

The Board will review and discuss the Board's Open Book Exam at its next Board meeting.

CONTINUING EDUCATION COURSES

Ms. Hyde moved to approve the May 21, 2015 Healthy Aging Conference for 3 hours. Ms. Simon seconded the motion. Motion carried.

Ms. Simon moved to request additional information on a training that is scheduled for September 25, 2015 and to authorize the Chair to review the course upon receipt of the information. Ms. Hyde seconded the motion. Motion carried.

Ms. Hyde moved to request additional information on a training that was given May 15, 2015 and authorize the Chair to review the course upon receipt of the information. Ms. Simon seconded the motion. Motion carried.

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Ms. Hyde made a motion to come out of executive session. It was seconded by Ms. Simon. The vote was: Ms. Hyde, aye; Ms. Simon, aye; and Ms. Brough Nye, aye. Motion carried.

APPLICATIONS

Ms. Hyde moved to approve the exam application and provisional permit for Shi Kaderly. Ms. Simon seconded the motion. Motion carried.

Ms. Hyde moved to request additional training information for applicant 901140175 and upon documentation of completion of the training the application will be approved for examination. It was seconded by Ms. Simon. Motion carried.

ADJOURNMENT

Ms. Simon made a motion to adjourn the meeting at 1:15 PM MDT. It was seconded by Ms. Hyde. Motion carried.

Heidi Brough Nye, Chair

Ann L Moss

Benjamin E Doty

Kristen E Hyde

Linda L. Simon

Tana Cory, Bureau Chief